



IN THE  
UNITED STATES  
PATENT AND TRADEMARK  
OFFICE

|                        |                      |
|------------------------|----------------------|
| Application Number     | 09/514,946           |
| Filing Date            | February 28, 2000    |
| First Named Inventor   | Richard<br>FERNANDES |
| Group Art Unit         | 3622                 |
| Examiner Name          | J. D. Carlson        |
| Attorney Docket Number | 2470-105             |

Title of the Invention: COMPUTER-IMPLEMENTED APPARATUS AND METHOD FOR GENERATING  
A TAILORED PROMOTION

#11  
5-3-03  
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**RESPONSE TO OFFICE ACTION UNDER 37 CFR § 1.111**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

In response to the Office action mailed January 28, 2003, the following remarks are respectfully submitted.

**REMARKS**

Claims 1, 3-10 and 22-25 remain pending in this application. Further reconsideration of this application is requested.

**35 U.S.C. § 103 Rejection**

Claims 1, 3-10, and 22-25 continue to be rejected as being unpatentable over Gardenswartz et al. in view of Roth et al., and claim 8 continues to be additionally rejected as being unpatentable over Gardenswartz in view of Travis. These grounds of rejection again are respectfully traversed.

The Examiner asserts that the website that displays the targeted advertising is considered to be a "subscriber" or "subscriber site" offering a targeted promotion. The Examiner further asserts that there is no requirement in the claims regarding the particular relationship between advertisers, website and products offered in the promotions. These assertions are incorrect.

Claim 1 sets forth that the apparatus is for generating a tailored promotion of goods and/or services offered by a subscriber to said apparatus (i.e., the goods and/or

